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MEMORANDUM

To: Mayor and City Representatives

From: Representative Steve Ortega, District 7 Aly for S.O.

Date: February 14, 2011

Re: Proposed Citizen Utility Review Commission – CCA 2/15/11-Item No. 12B

Background: The winter storms that hit El Paso two weeks ago resulted in utility outages, restrictions, and delays. The financial damage to the community is estimated in the tens of millions of dollars. Damage has also been inflicted on the public's trust as thousands of El Pasoans want answers for the utility-related hardships that they experienced during the storms.

There will be several public and private agencies and bodies that will be conducting a review of one or more of the utilities' performance during the winter storms. The utilities are also conducting their own internal performance reviews. There is no review currently being conducted, or planned, by and for El Paso's citizens.

Proposal: The purpose of the proposed Citizen Utility Review Commission (the "Commission") is twofold. First, the Commission would be charged with an investigation of the events of two weeks ago as they relate to the gas utility, water utility, and electric utility. Second, the Commission would be charged with making recommendations regarding improvements to the utilities so as to avoid, or mitigate, future utility failures.

The three persons on the Commission must be residents of the City of El Paso who are at an arm's length distance from the current local government and the local utilities. They must be individuals whose reputation and record inspires the utmost in the public's trust and confidence. The individuals should have knowledge of the workings and regulations regarding the utilities.

Goal: Because the El Paso City Council has a fundamental duty to protect the public safety, it is the goal of this proposed Commission to report to the El Paso City Council and the citizens of El Paso on how the utilities can better function in the future. The scope of the report is not limited to improvements for the utilities, but may also include improvements for local government and emergency management.

The report should be comprised of three sections: 1) Findings; 2) Lessons Learned; and 3) Recommendations

The report should be published and publicly presented within six weeks of the Commission's first meeting.